

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEVIN S. BARKER, JOHN E. DILLER

MARGARET M. HEDSTROM, CAROL J. PERSCHE
MOHAMAD R. SALAHSHOOR, and JAMES THORPE

MAILED

OCT 02 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Application No. 10/047,312

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on September 22, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

Information Disclosure Statements (IDSS) were filed February 7, 2005, February 28, 2005, and January 21, 2006. It is not apparent from the record that the examiner properly considered the IDSS submitted nor notified appellants of the submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Accordingly, it is

ORDERED that the application is returned to the Examiner for
1) consideration of the IDSS, 2) written notification to appellant regarding the
result of the examiner's consideration, and 3) for such further action as may be
appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

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